

FILED

August 24 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 10-0353

FILED

AUG 24 2010

STATE OF MONTANA,

Plaintiff and Appellee,

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

v.

ORDER

DARRYL LEWIS FROST,

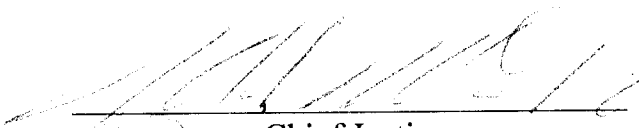
Defendant and Appellant.

Darryl Lewis Frost (Frost) filed a Motion for Appointment of Counsel in this appeal. The District Court Docket for Yellowstone County Cause No. DC 00-936 reflects that Frost is appealing from an order denying a motion to withdraw guilty plea. The conviction Frost challenges was based upon a guilty plea entered in 2001, from which Frost did not appeal.

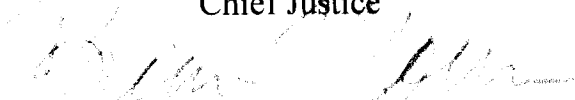
Frost is not entitled to appointment of counsel more than eight years after the final judgment was entered and he failed to appeal. Section 46-8-103(1), MCA.

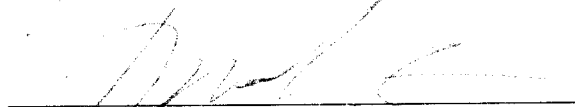
IT IS ORDERED that the motion for appointment of counsel is DENIED.

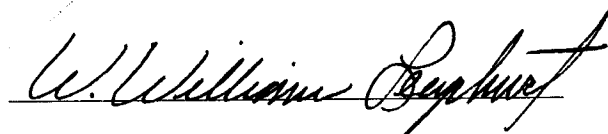
DATED this 24th day of August, 2010.

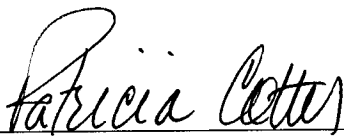


Chief Justice








Justices